

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 DONALD L. SKEENS, JR.,

12 Plaintiff,

13 v.

14 CAROLYN W. COLVIN, Acting
15 Commissioner of the Social Security
16 Administration,

17 Defendant.

18 CASE NO. 3:14-cv-05754 JRC

19 ORDER ON UNOPPOSED MOTION
20 FOR EQUAL ACCESS TO JUSTICE
21 ACT FEES AND EXPENSES

22 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
23 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge
24 and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).
25 This matter is before the Court on plaintiff's Motion for Equal Access to Justice Act Fees and
26 Expenses (*see* Dkt. 24). Defendant has no objections (*see* Dkt. 25).

27 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion
28 (*see* Dkt. 24), the attorney Declaration and time and expense itemizations (Dkt. 24, Attachments
29 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$5,523.75

1 and expenses in the amount of \$28.39, shall be awarded to plaintiff pursuant to the EAJA and
2 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7
3 (2010).

4 The Acting Commissioner agrees to contact the Department of Treasury after the Order
5 for EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to
6 any offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any
7 offset allowed pursuant to the Department of the Treasury's Offset Program, then the EAJA fees
8 and expenses shall be paid directly to Eitan Kassel Yanich, Esq., either by direct deposit or by
9 check payable to him, based on plaintiff's assignment of these amounts to plaintiff's attorney
10 (see Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees, Dkt. 23). If there
11 is an offset, the remainder shall be made payable to plaintiff, based on the practice of the
12 Department of the Treasury (see, e.g., Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA
13 fees and expenses shall be mailed to plaintiff's counsel, Eitan Kassel Yanich, Esq., at Law Office
14 of Eitan Kassel Yanich, PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA 98501.

15 Dated this 5th day of November, 2015.

16 
17 _____
18 J. Richard Creatura
19 United States Magistrate Judge
20
21
22
23
24